

* * * Egg a Day stimulates and quickens the digestive processes, making possible a greater degree of assimilation. This means more eggs on less feed. * * * Use Egg a Day According to Directions and You will Get Results."

On October 31, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23279. Misbranding of Re-Ju-Va and Tan-A-Wa. U. S. v. Devore Manufacturing Co., Primrose R. DeVore, Jay G. Hobson, Fred Link Ferguson, Joseph A. Irwin, Harold T. Maloney, William W. Bowser, and Merritt W. Tam. Pleas of guilty. Fines, \$215. (F. & D. no. 31346. Sample nos. 2552-A, 30051-A.)

Examination of the drug products involved in this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On May 12, 1934, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the DeVore Manufacturing Co., a corporation, Primrose R. DeVore, Jay G. Hobson, Fred Link Ferguson, Joseph A. Irwin, Harold T. Maloney, William W. Bowser, and Merritt W. Tam. The information charged that on or about March 15, 1932, the defendants, the DeVore Manufacturing Co., Primrose R. DeVore, Jay G. Hobson, and Fred Link Ferguson, Columbus, Ohio, shipped under the name of Re-Ju-Va Co., from the State of Ohio into the State of Minnesota a quantity of Re-Ju-Va which was misbranded in violation of the Food and Drugs Act as amended, and that on or about October 18, 1932, the defendants, Harold T. Maloney, William W. Bowser, Merritt W. Tam, and Joseph A. Irwin, Columbus, Ohio, shipped under the name of the Tan-A-Wa Medicine Co., from the State of Ohio into the State of Indiana, a quantity of Tan-A-Wa which was misbranded in violation of said act. The articles were labeled in part: "Re-Ju-Va * * * Re-Ju-Va Company, Minneapolis, Minnesota, Laboratory—Columbus, Ohio. * * * Tan-A-Wa * * * Tan-A-Wa Med. Company, Inc. * * * Columbus, Ohio."

Analyses by this Department showed that the Re-Ju-Va consisted of a red, aqueous solution having a slightly aromatic (peppermint) odor and containing essentially magnesium sulphate, iron chloride, and a small amount of citric acid, glycerin and mineral hypophosphites; and that the Tan-A-Wa consisted essentially of extracts of plant drugs including laxative drugs, berberis and red pepper, a small proportion of salicylate, alcohol, and water.

The Re-Ju-Va was alleged to be misbranded in that certain statements on the cartons and bottle labels, and in a circular shipped with the article, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective to assist nature to establish a normal process of metabolism, and to relieve disorders arising from intestinal putrefaction, including rheumatism, arthritis, neuritis, high blood pressure and stomach, kidney and blood diseases; and effective to remove the cause thereof; effective as a treatment, remedy, and cure for indigestion, acidosis or gas condition, sore throat and insomnia; effective to aid nature in removing the cause of about 90 percent of all disorders due to faulty elimination; effective to assist nature in the relief of sciatica, indigestion, bloating, biliousness, jaundice, catarrh, asthma, acidosis, kidney and blood disorders and nervous and run-down conditions; effective to assist nature in freeing the system of the poisons which arise from the absorption of impurities through the alimentary tract; and effective to remove the cause thereof; effective to bring new health and happiness to thousands; effective to assist nature in attacking the cause of 90 percent of all human ailments; effective as a treatment, remedy, and cure for arthritis, rheumatism, sciatica, lumbago, stomach disorders, acidosis, high blood pressure, asthma, hay fever, catarrh, jaundice, sinus infections, liver disorders, indigestion, dyspepsia, and diabetes; effective to give nature the proper scientific aid to remove the cause of these diseases; effective to rid the system of accumulated poisons, to stimulate glands and organs to normal function, to restore a balanced process of metabolism and to minimize the possibility of recurrence of the poisons; effective to insure permanent relief by removing the cause thereof; effective to cleanse and build up the blood; effective to resist the onslaught of disease; effective to insure health and happiness to thousands of persons helplessly crippled; effective as a health insurance; effective to maintain good health and to keep the body full of pep and vigor; effective as a treatment, remedy, and cure for acid stomach, gas, bloating, ulcers, gastric ulcers and functional derangement of the stomach due either to quantity or

quality of gastric juices, improper eating or a disturbed process of metabolism, or stomach ulcers; effective to balance the body chemistry and correct stomach ailments, and effective as a cure for rheumatism, arthritis, neuritis, and lumbago due to intestinal putrefaction; and effective to remove the cause thereof; effective to restore helpless cripples to normal health and glorious happiness; effective as a Godsend to those afflicted with hopeless diseases; effective to correct chronic constipation; effective as a genuine relief and a renewer of health to multitudes of chronic sufferers pronounced incurable; effective as a source of health; effective to cause the glands and organs of the body to secrete and function normally; effective as a treatment for rheumatism and its kindred disorders; effective to bring relief to the stomach and strength to the heart; effective as a health giving medicine for children; effective to regain and retain health, possess and protect health; effective as a way to health and as a harmless remedy for dying and helpless cripples; effective to restore the natural secretions to fagged, worn and clogged glands, and to restore normal elimination; and effective to remove death-dealing infection and body poisons.

Misbranding of the Tan-A-Wa was alleged in that certain statements on the cartons and bottle labels, and in a circular shipped with the article, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a digestive, hepatic, emmenagogue, resolvent, and depurative; effective as a tonic; effective as a hepatic and stimulant tonic, as a good all-around tonic, and as one of the best tonics; effective to have assimilative properties, to strengthen the systems, to promote the discharges from the throat and lungs, to effect a beneficial change in the system, to cleanse from all impurities, to act on the liver and stimulate the system, to promote the menstrual flow in women, to act favorably on the kidneys, to disperse inflammation, to cause the kidneys to function properly, to overcome many ailments caused by constipation and impurities which contaminate the system, to assist the kidneys to perform their work, to impart strength to those parts which have become affected by improper functioning, and to help keep the system clean and in proper tone; and effective as a purifier.

On June 23, 1934, defendants the Devore Manufacturing Co., Primose R. Devore, Jay G. Hobson, and Joseph A. Irwin entered pleas of guilty; and on June 27, 1934, pleas of guilty were entered by Fred Link Ferguson, Harold T. Maloney, William W. Bowser, and Merritt W. Tamm. The court imposed a fine of \$180 against the Devore Manufacturing Co., and a fine of \$5 against each of the individual defendants, the total amount of the fines being \$215.

M. L. WILSON, *Acting Secretary of Agriculture.*

23280. Misbranding of Rawleigh's Tonic Compound, Rawleigh's Thyme Cough Compound, Rawleigh's Liniment, and Rawleigh's Pain Relief. U. S. v. 810 Bottles of Rawleigh's Tonic Compound, et al. Decrees of condemnation and forfeiture. Products released under bond to be relabeled. (F. & D. nos. 32654 to 32657, incl. Sample nos. 41326-A to 41329-A, incl., 56526-A, 56527-A, 56528-A.)

This case involved drug preparations, the labeling of which contained unwarranted curative and therapeutic claims.

On May 3, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of certain "Rawleigh's" drug preparations at Minneapolis, Minn. On or about May 7, 1934, the libel was amended, and as amended covered 810 bottles of Rawleigh's Tonic Compound, 477 bottles of Rawleigh's Thyme Cough Compound, 3,330 bottles of Rawleigh's Liniment, and 324 bottles of Rawleigh's Pain Relief. It was alleged in the libel as amended that the articles had been shipped in interstate commerce, between the dates of January 19 and April 21, 1934, by the W. T. Rawleigh Co., from Freeport, Ill., and that they were misbranded in violation of the Food and Drugs Act as amended.

Analyses of the articles showed that the Tonic Compound consisted essentially of small proportions of sodium, potassium, calcium, iron, manganese, quinine and strychnine salts, including hypophosphites and citrates, alcohol, sugar, and water; that the Thyme Cough Compound consisted essentially of extract of thyme, alcohol, sugar, and water; that the Liniment consisted essentially of red pepper extract, camphor, pine oil, an ammonium compound, alcohol, and water; and that the Pain Relief consisted essentially of red pepper extract, camphor, soda, an ammonium compound, alcohol, and water.